



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029



SDMS DocID 2004766

NOV 21 2003

NOTICE OF POTENTIAL LIABILITY
URGENT LEGAL MATTER: PROMPT REPLY REQUIRED
CERTIFIED MAIL: RETURN RECEIPT REQUESTED

Stephen A. Banks, Esq.
Department of the Navy
Office of General Counsel
Navy Litigation Office
720 Kennon Street, SE, Room 2033
Washington Navy Yard, DC 20374-5013

Re: **Lower Darby Creek Area Superfund Site**
Folcroft Landfill and Folcroft Landfill Annex
Delaware County, Pennsylvania

Dear Mr. Banks:

This letter notifies you that the United States Department of Navy ("Navy") may incur, or may have incurred, liability under Section 107(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9607(a), with respect to the Lower Darby Creek Area Superfund Site ("Site"). This letter also notifies you of potential response activities at the Site, which you may be asked to perform or pay for at a later date if the United States performs them.

SITE BACKGROUND

CERCLA, more commonly known as Superfund, has several key objectives including setting priorities for cleanup of the worst hazardous sites in the country, and, determining the parties potentially responsible for investigating, cleaning up or paying the costs of cleaning up such hazardous sites. These parties are referred to as "potentially responsible parties" or "PRPs."

On June 14, 2001, the United States Environmental Protection Agency ("EPA") included the Site on the National Priorities List ("NPL"), a list of the most serious uncontrolled or abandoned sites at which releases of hazardous substances have occurred or may occur. The Site consists of the former Clearview Landfill, and the former Folcroft Landfill ("Folcroft") and Folcroft Landfill Annex ("Annex"). This letter concerns only the Folcroft Landfill and Folcroft Landfill Annex. The Clearview Landfill will be addressed separately.



A large portion of the Folcroft Landfill and Annex is currently owned by the United States Department of Interior, Fish and Wildlife Service and is part of the John Heinz National Wildlife Preserve in Tinicum Township, Pennsylvania. A smaller portion of the Folcroft Landfill and Annex is privately owned.

NOTICE OF YOUR POTENTIAL LIABILITY

EPA has evaluated information in connection with the investigation of the Site. Based on this information, EPA believes that the Navy may be a PRP for this Site. PRPs under CERCLA include: 1) current owners and operators of the site; 2) owners and operators of the site at the time hazardous substances were disposed; 3) persons who arranged for disposal or treatment of hazardous substances sent to the site; and 4) persons who accepted hazardous substances for transport to the site, and who selected the site for disposal. These categories are set forth in Section 107 of CERCLA, 42 U.S.C. § 9607.

Based on State and Federal records and/or other sources, EPA has information indicating that the Navy, is a PRP for this Site. Specifically, EPA has reason to believe that the Navy is liable as a person who arranged for disposal of hazardous substances sent to the Folcroft Landfill and/or Folcroft Landfill Annex from the Philadelphia Naval Shipyard, Philadelphia, Pennsylvania. The Philadelphia Naval Shipyard utilized the Folcroft Landfill and/or Folcroft Landfill Annex for disposal of its wastes during the 1960s and 1970s.

The EPA has documented the release or threatened release of hazardous substances, pollutants or contaminants at or from the Site, as those terms are defined in Sections 101(14) and 101(33) of CERCLA, 42 U.S.C. §§ 9601(14) and (33). The United States has spent, or is considering spending, public funds on actions to investigate and control such releases or threatened releases at the Site. Unless EPA reaches an agreement under which a PRP or PRPs will properly perform or finance such actions, the United States may perform these actions pursuant to Section 104 of CERCLA, 42 U.S.C. § 9604, or require them to be performed by responsible parties under Section 106 of CERCLA, 42 U.S.C. § 9606.

The United States may order PRPs, or any one of them, to perform response actions deemed necessary by the United States to protect the public health, welfare or the environment. Additionally, PRPs may be liable for all costs incurred by the government in responding to any release or threatened release at the Site, under Sections 104 and 107(a) of CERCLA, 42 U.S.C. §§ 9604 and 9607(a), and the Resource Conservation and Recovery Act ("RCRA"), as amended, 42 U.S.C. §§ 6901 et seq., and other laws. Such actions and costs may include, but are not limited to, conducting a Remedial Investigation/Feasibility Study ("RI/FS"), and other investigation, planning, response, oversight, and enforcement activities related to the Site. In addition, potentially responsible parties may be required to pay for damages for injury to, destruction of, or loss of natural resources, including the cost of assessing the amount or extent of such damages related to a site.

FBI/DOJ
FBI/DOJ

You should also be aware that once a site is placed on the NPL pursuant to Section 105 of CERCLA, 42 U.S.C. § 9605, it cannot be deleted until after an RI/FS has been completed and the necessary remedial action has been conducted in accordance with EPA guidance and the National Contingency Plan ("NCP"), published at 40 C.F.R. Part 300.

By this letter, EPA notifies the Navy of its potential liability with regard to this matter and encourages you to perform or to finance voluntarily those response activities that EPA determines to be necessary at the Site.

SITE RESPONSE ACTIVITIES

In accordance with CERCLA and other authorities, EPA has already undertaken certain actions and incurred certain costs in response to conditions at the Site.

EPA involvement at Folcroft Landfill and Annex began with a Preliminary Assessment on July 1, 1980 and a Site Inspection ("SI") completed November 1, 1980. The Folcroft Landfill and Annex was reinspected as part of a Site Inspection of the entire Site completed on August 17, 1999. The Site was assigned a Hazardous Ranking System ("HRS") score of 50 and was proposed for National Priorities List ("NPL") on May 11, 2000. The Lower Darby Creek Area Superfund Site was officially added to the NPL on June 14, 2001.

The Navy may be asked at a later date to undertake, or may be liable for, any additional measures necessary to protect public health, welfare, or the environment. Such measures may include but are not limited to designing and implementing the EPA-approved remedial option and providing monitoring and maintenance necessary after remedial measures are completed.

The United States may expend additional funds for response activities at the Site under the authority of CERCLA and other laws.

SPECIAL NOTICE AND NEGOTIATION MORATORIUM

EPA anticipates that you will receive an additional notice from EPA in the future concerning the Folcroft Landfill and Folcroft Landfill Annex. The following four paragraphs are a detailed description of that future notice. You do not need to take any specific action regarding this future notice at this time. The description is provided to you here so that you can anticipate and understand the process.

The future notice will either inform you that EPA is using the CERCLA Section 122(e) special notice procedure to formally negotiate terms of a consent order or consent decree to conduct or to finance Site response activities, or it will inform you that EPA is electing not to utilize that procedure. If EPA does not use the Section 122(e) special notice procedure, the notice will specify why special notice was not considered appropriate in this case.

Under Section 122(e), EPA has discretionary authority to use the special notice procedure if EPA determines that such procedure would facilitate an agreement between EPA and the PRPs and would expedite response action at the Site. Use of this special notice procedure triggers a moratorium on certain government activities at the Site. The purpose of the moratorium is to provide a period of time when PRPs and EPA may enter into formal negotiations for PRP conduct or financing of the response activities at the Site.

If special notice is provided with respect to the Remedial Investigation/Feasibility Study ("RI/FS") at the Site, the moratorium period, during which the United States, with certain exceptions, may not commence a RI/FS, lasts for 60 days after receipt of special notice. If EPA determines that a good faith offer to perform or to finance the RI/FS is submitted by the PRPs within those 60 days, the statute provides a 30-day extension for further negotiations.

If EPA determines that a good faith offer has not been submitted within the first 60 days of any moratorium period, EPA may terminate the negotiation moratorium pursuant to Section 122(e)(4) of CERCLA. The United States then may commence response activities or enforcement actions as it deems appropriate. In the absence of an agreement with the parties to perform or to finance the necessary response activities, the United States may undertake these activities and pursue civil litigation against the parties for reimbursement of Site expenditures. Alternatively, the United States may issue a unilateral administrative order pursuant to Section 106(a) of CERCLA to require PRPs to initiate response activities, and/or may commence civil litigation pursuant to Section 106(a) of CERCLA to obtain similar relief. Failure to comply with an administrative order issued pursuant to Section 106(a) of CERCLA may result in a fine of up to \$27,500 per day, pursuant to Section 106(b) of CERCLA and 40 C.F.R. Part 19, and/or imposition of treble damages, pursuant to Section 107(c)(3).

The preceding explanation of special notice and the negotiation moratorium procedure is for your general information about the Superfund process. It does not require any specific action on your part at this time. (But see PRP Response and EPA Contact sections, below.)

INFORMATION TO ASSIST RESPONSIBLE PARTIES

EPA encourages good faith negotiations between the PRPs and EPA, as well as among the PRPs. Therefore, EPA is providing a list of the names and addresses of PRPs to whom this notification is being sent or who have previously been notified as an attachment to this letter. This list represents EPA's preliminary findings on the identities of the PRPs for the Folcroft Landfill and Folcroft Landfill Annex portions of the Site. Inclusion on, or exclusion from, the list does not constitute a final determination by EPA concerning the liability of any party for the release or threat of release of hazardous substances at or from the Site.

PRP STEERING COMMITTEE

EPA recommends that all PRPs meet to select a Steering Committee responsible for representing the group's interests. Establishing a manageable group is very important for successful negotiations with EPA. EPA representatives are available to meet or confer with the PRPs or a steering committee on a mutually convenient date in the near future. At the present time, some of the previously noticed PRPs have formed a steering committee. That committee is represented by Michael Dillon, Esquire, Morgan, Lewis & Bokius LLP, 1701 Market Street, Philadelphia, PA 19103-2921, (215) 963-5000.

ADMINISTRATIVE RECORD

Pursuant to CERCLA Section 113(k), 42 U.S.C. §9613(k), the United States establishes an administrative record that contains documents which form the basis for the United States' decision on the selection of each response action for a site. The administrative record will be available to the public for inspection and comment before any remedy is selected by the United States. A copy of the record will be located near the Site, and another copy will be located at the EPA Regional office in Philadelphia. The contact person for comments on the record will be provided with the record when such record is available for review at these locations.

PRP RESPONSE AND EPA CONTACT

You are encouraged to contact EPA in writing within **fourteen (14) days** of the receipt of this letter to express the Navy's willingness or unwillingness to participate in future negotiations concerning this Site. You may respond individually or through a steering committee if such a committee has been formed. Your response will be considered by EPA in determining whether the special notice procedure should be used for this Site.

If you are already involved in discussions with State or local authorities, engaged in voluntary action or involved in a lawsuit regarding this Site, you should not interpret this letter as advising or directing you to restrict or to discontinue any such activities. You should, however, report the status of those discussions or activities in your letter to EPA. Please provide EPA with a copy of your letter to any other party involved in those discussions.

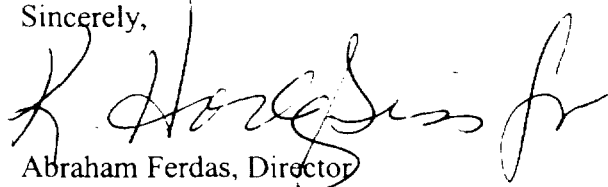
Your response should be addressed to:

Ms. Kristine Matzko (3HS23)
Remedial Project Manager
United States Environmental Protection Agency
1650 Arch Street
Philadelphia, PA 19103

The factual and legal discussions contained in this letter are intended solely for notification and information purposes. They are not intended to be, and cannot be relied upon, as a final EPA position on any matter set forth herein.

If you have any questions regarding the foregoing, please contact Carlyn Winter Prisk, Civil Investigator, at (215) 814-2625 or have your attorney contact Brian Nishitani, Senior Assistant Regional Counsel, at (215) 814-2675.

Sincerely,

A handwritten signature in black ink, appearing to read 'A. Ferdas', written over a horizontal line.

Abraham Ferdas, Director
Hazardous Site Cleanup Division

cc: Craig Olewiler (PADEP- Harrisburg)
April Flipse (PADEP - Conshohocken)
Kristine Matzko, (3HS23)
Brian Nishitani (3RC44)
Carlyn Winter Prisk (3HS11)
Ralph Lombardo, Esq. (Navy - EFA Northeast)
Russell Young, Esq. (DOJ-EDS)

**PRPs receiving Notice of Potential Liability for the
Folcroft Landfill and Folcroft Landfill Annex portions of the
Lower Darby Creek Area Superfund Site**

Parties receiving letters dated October 15, 2001

The Boeing Company

P.O. Box 3707
Seattle, WA 98124-2207

Legal Contact: Taralyn Trimpey, Counsel
P.O. Box 516
Mail Code S100-3340
St. Louis, MO 63166-0516
(314) 232-3269

Browning-Ferris Industries, Inc.

c/o Allied Waste Systems, Inc.
15880 N. Greenway-Hayden Loop,
Suite 200
Scottsdale, AZ 85260

Legal Contact: Jeffrey N. Martin, Esq.
Hunton & Williams
1900 K. Street, NW
Washington, DC 20006
(202) 955-1552

Delaware County Solid Waste Authority

1521 North Providence Road
Rose Tree Park
Hunt Club Building
Media, PA 19063

Legal Contact: Benjamin Stonelake, Esquire
Blank Rome Comisky & McCauley LLP
One Logan Square
Philadelphia, PA 19103-6998
(215) 569-5500

E.I. duPont de Nemours and Company

1007 Market Street
Wilmington, DE 19899

Legal Contact: Pamela Meitner, Esquire
DuPont Legal, D-7099
1007 Market Street
Wilmington, De 19898
302-774-8720

FMC Corporation

200 E. Randolph Drive
Chicago, IL 60601

Legal Contact: John F. Stillmun, Assistant General Counsel
1735 Market Street
Philadelphia, PA 19103
(215) 299-6989

General Electric Company

3135 Easton Turnpike
Fairfield, CT 06413-0001

Legal Contacts: David Rifkind, Counsel-Environmental Matters
640 Freedom Business Center
King of Prussia, PA 19406

Steven T. Miano, Esquire
Wolf, Block, Schorr, and Solis-Cohen, LLP
1650 Arch Street, 22nd Floor
Philadelphia, PA 19103
(215) 977-2000

Wilbur C. Henderson, Jr.

c/o The Henderson Group
112 Chesley Drive, Suite 200
Media, PA 19063-1762

Legal Contacts: Norman C. Henss, General Counsel
The Henderson Group
112 Chesley Drive, Suite 200
Media, PA 19063-1762
(610) 627-3619

David J. Brooman, Esquire
Drinker Biddle & Reath LLP
One Logan Square
18th and Cherry Street
Philadelphia, PA 19103
(215) 988-2700

Henderson-Columbia Corporation

c/o The Henderson Group
Wilbur C. Henderson, Jr.
112 Chesley Drive, Suite 200
Media, PA 19063-1762

Legal Contacts: Norman C. Henss, General Counsel
The Henderson Group
112 Chesley Drive, Suite 200
Media, PA 19063-1762
(610) 627-3619

David J. Brooman, Esquire
Drinker Biddle & Reath LLP
One Logan Square
18th and Cherry Street
Philadelphia, PA 19103
(215) 988-2700

Honeywell International, Inc.

101 Columbia Road
Morristown, NJ 07962

Legal Contact: David Cooke, Assistant General Counsel
101 Columbia Road
Morristown, NJ 07962
(973) 455-2817

PECO Energy Company

c/o Exelon Corporation
37th Floor, 10 South Dearborn Street
Post Office Box A-3005
Chicago, IL 60690-3005

Legal Contact: H. Alfred Ryan, Assistant General Counsel
Exelon Business Services Company
2301 Market Street (S23-1)
P.O. Box 8699
Philadelphia, PA 19101
(215) 841-6855

Rohm and Haas Company

100 Independence Mall West
Philadelphia, PA 19106

Legal Contacts: Ellen S. Friedell, Associate General Counsel
100 Independence Mall West
Philadelphia, PA 19106
(215) 592-2582

Robert Fox, Esquire
Manko, Gold, Katcher, & Fox LLP
401 City Avenue, Suite 500
Bala Cynwyd, PA 19004
(484) 430-5700

United States Department of the Interior

Fish and Wildlife Service
1849 C. Street NW, Room 3012
Washington, DC 20240-0001

Legal Contact: John Seymour, Esquire
Attorney Advisor
Office of the Solicitor
United States Department of the Interior
1849 C Street, NW
Washington, DC 20240

Waste Management, Inc.

1001 Fannin Street
Suite 4000
Houston, TX 77002

Contact: Steve Joyce, Area Director
4 Liberty Lane West
Hampton, NH 03842

Legal Contact: Joseph O'Dea, Esq.
Saul Ewing
Centre Square West
1500 Market Street
38th Floor
Philadelphia, PA 19102-2186

Parties receiving letters dated November 6, 2001:

Chemical Leaman Tank Lines, Inc.

c/o Quality Distribution, Inc.
3802 Corporex Park Drive
Tampa, FL 33619

Contact: Louise Corrigan, Environmental Manager
Quality Distribution, Inc.
150 E. Pennsylvania Ave.
Suite 125
Downingtown, PA 19335
(610) 518-3122

Legal Contact: Maxine Woelfling, Esq.
Morgan, Lewis & Brokious
One Commerce Square
417 Walnut Street
Harrisburg, PA 17101-1904
(717) 237-4000

Parties receiving letters dated January 25, 2002:

Kimberly-Clark Corporation

351 Phelps Drive
Irving, TX 75038
(972) 281-1200

Legal Contact: Marcia K. Cowan
1400 Holcomb Bridge Road
Roswell, GA 30076-2199
(770) 587-7254

PPG Industries, Inc.

One PPG Place
Pittsburgh, PA 15272
(412) 434-3703

Legal Contact: Paul M. King, Esq.
(412) 434-3703

Parties Receiving letters dated June 7, 2002

Allied Envelope Company

455 Washington Avenue
P.O. Box 6506
Carlstadt, NJ 07072

Contact: Roy J. Ward
(201) 440-2000, ext 160

Legal Contact: David M. Meisels, Esquire
Herrick, Feinstein LLP
2 Penn Plaza
Newark, NJ 07105-2245
(973) 274-2015

Honeywell International, Inc.

101 Columbia Road
Morristown, NJ 07962

Legal Contact: David Cooke, Esq.
(973) 455-2817

Hospital of the University of Pennsylvania

21 Penn Tower
3400 Civic Center Blvd.
Philadelphia, PA 19104

Office of the General Counsel
133 South 36th Street, Suite 360
Philadelphia, PA 19104-3246

Legal Contacts: Roman Petyk, General Counsel
(215) 746-5275

Brendan K. Collins, Esquire
Ballard Spahr Andrews & Ingersoll, LLP
1735 Market St., 51st Floor
Philadelphia, PA 19103
(215) 864-8106

M.A. Bruder & Sons, Inc.

600 Reed Road
Broomall, PA 19008

Legal Contact: Andrew S. Levine, Esq.
Stradley Ronen
2600 One Commerce Square
Philadelphia, PA 19103
(215) 564-8073

Parties Receiving Letters Dated July 1, 2002

Conoco, Inc.

Conoco Center
600 North Dairy Ashford
Houston, TX 77079

Legal Contact: Stephen P. Chung, Esquire
(281) 293-6231.

Parties Receiving Letters Dated August 1, 2002

Crompton Corporation

One American Lane
Greenwich, CT 06831-2559

Contact: Nita Drakatos, Paralegal
Bensen Road
Middlebury, CT 06749
(203) 573-2652

Parties Receiving Letters Dated November 21, 2003

Cargill, Inc.

P.O. Box 5624
Minneapolis, MN 55440-5624

Contact: Gregory Page, President and CEO

Legal Contacts: Christopher Haack, Paralegal
(952) 742-2894

Kimberley Thorstad, Esq.
(952) 742-5587

United States Department of Navy

Department of the Navy

Office of General Counsel

Navy Litigation Office

720 Kennon Street, SE, Room 233

Washington Navy Yard, DC 20379-5013

Legal Contact: Stephen A. Banks, Esq.
 (202) 685-6973



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

Lower Darby Creek Area Superfund Site Interview Summary Confidential Source #9



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Customer Service Hotline: 1-800-438-2474*

INTERVIEW SUMMARY
Work Assignment ES002
Lower Darby Creek Area Site



Prepared for:

U.S. Environmental Protection Agency
Region III
Enforcement Support Services
Hazardous Site Cleanup Division
1650 Arch Street
Philadelphia, PA 19103

Prepared by:

DASTON Corporation
210 West Washington Square
Suite 210
Philadelphia, PA 19106

Work Assignment Number:	ES002
Date Submitted:	March 25, 2002
Contract Number:	68-S3-01-01
EPA Work Assignment Manager:	Carlyn Prisk
Telephone Number:	(215) 814-2625
DASTON Work Assignment Manager:	Eric D. Bailey
Telephone Number:	(215) 923-4404
Interviewer:	Michael McCloskey, Tri-State Enterprise

Name:

[REDACTED] (WITNESS)
C/O Joseph F. O'Dea, Jr., Saul Ewing, LLP
1500 Market Street, 38th Floor
Philadelphia, PA 19102

Affiliation:

Former Employee/Tri-County Hauling

Telephone:

(215) 972-7109

Type of Interview:

In-Person

Date of Interview:

March 14, 2002

On March 14, 2002, the WITNESS was interviewed at [REDACTED] by Michael McCloskey of Tri-State Enterprise. The WITNESS was interviewed as part of the potentially responsible party search currently being conducted under Work Assignment NO. ES-002 involving the Lower Darby Creek Area, Delaware County, PA (the "Site"). This interview focused on the Folcroft Landfill (Folcroft). The WITNESS was provided with a copy of the letter of introduction, advised of the nature of the questions to be asked and advised that the interview was voluntary. The WITNESS advised that he is represented by Joseph F. O'Dea, Jr. in this matter. This interview was not tape-recorded. The following individuals were also present during this interview.

- Brian Nishitani: Attorney for the United States Environmental Protection Agency, Region III (USEPA).
- Carlyn Prisk: Civil Investigator for the USEPA.
- Joseph F. O'Dea, Jr.: Attorney representing Waste Management Corporation and [REDACTED]
- Cathleen Devlin: Attorney representing Waste Management Corporation.

During the course of this interview, the WITNESS responded to questions based on guidelines provided by the United States Environmental Protection Agency for former employees.

The WITNESS was shown a map of the Site and this map was used throughout the interview.

The WITNESS was asked to explain his association with the site.

The WITNESS stated that he worked for Tri-County Hauling from [REDACTED] [REDACTED] as a waste-hauler/truck driver. He indicated that he drove both a roll-off truck and rear-end loader during the time he worked for Tri-County Hauling.

When asked to identify the dates that Tri-County Hauling was located at Folcroft and disposed of waste at Folcroft, the WITNESS stated that Tri-County Hauling was located at the following locations during the time period he worked for Tri-County Hauling:

- 61st and Passyunk Street.
- 70th Street in Philadelphia
- 58th Street in Philadelphia.

The WITNESS stated that he could not recall the specific dates Tri-County operated from each location.

The WITNESS indicated that Tri-County Hauling was located at the entrance to Folcroft when Folcroft was in operation and Tri-County Hauling disposed of all waste at Folcroft while Folcroft was in operation. The WITNESS stated that the owner/operator of Folcroft and Tri-County was Bernie McNichol and the General Manager of Folcroft and Tri-County Hauling was Ed Mullen.

The WITNESS was asked to identify the locations that he picked up waste from and transported and disposed of this waste at Folcroft. The WITNESS was also asked to describe the waste for each location. The WITNESS provided the following information:

- Mercy Fitzgerald Hospital: The WITNESS stated that he picked up a compactor container of unknown waste from this location on an on-call basis.
- Children's Hospital: The WITNESS stated that he picked up a compactor container from this location on a weekly basis.
- Temple Hospital: The WITNESS stated that he picked up a compactor container from this location.
- Presbyterian Hospital: The WITNESS stated that he picked up an open container and a compactor container from this location on a weekly basis.
- Miseracordia Hospital: The WITNESS stated that he picked up an open-top container and a compactor container at this location.

The WITNESS stated that all of the waste he picked up at the above hospitals consisted of filled plastic bags colored green, white and blue.

The WITNESS stated that he picked up waste from the following locations in a rear-end loader truck and transported this waste to Folcroft:

- Paoli Animal Hospital: Waste from trashcans of unknown type.
- Wyeth Labs: Waste from trashcans, floor sweepings and cafeteria waste.
- TV Guide: Waste from trashcans, containing old TV Guide magazines and cafeteria waste.

- Pennsylvania Electric Company, 23rd and Market: Trash can waste.
- Penn Tower: Contents of a 1-yard container of unknown waste.
- Philadelphia Electric on County Road: Glass and wire
- UPS in Ardmore: Paper and packaging material.
- Forester Inn in Ardmore: Trash can waste.
- Tile House in Ardmore: Trash can waste.
- Deegans Restaurant on 15th and Locust, Philadelphia: Trash can waste.
- Bradley's Restaurant on Juniper Street, Philadelphia: Trash can waste.
- Quachowitz Glass Company on Broad and Washington Streets in Philadelphia: Manufactured home windows.
- MAB Bruder: Compactor container containing bags with a powder that is used to mix with paint.
- Firestone Store in Ardmore: Trash can waste.
- K-Mart in Yeadon: Dumpster
- Acme in Chichester: Open container

When asked if he picked up waste at the Navy Yard, the WITNESS stated that he picked up a roll-off container from that location and described the waste as being old pipes.

When asked the names of other waste transporters that disposed of waste at Folcroft, the WITNESS provided the following names:

(The WITNESS stated that he was not sure of the spelling or complete names of these companies)

- Charles Crawley Waste Hauling
- Bernie McHugh
- McKarnen Waste
- Barratt Roofing
- General Electric Company: The WITNESS stated that General Electric had one 2.5-ton state body truck with wooden sides that disposed of an unknown waste at Folcroft.

When asked if he had ever observed the disposal of liquid waste at Folcroft, the WITNESS stated that he did observe a tanker truck disposing of liquid waste on one occasion. He indicated that the tanker caught fire and he assisted in bringing the truck driver to safety. The WITNESS stated that he could not recall the name of the driver or any names or markings on the truck. The WITNESS could not recall the approximate date this fire occurred.

When asked to describe how a truck entered Folcroft and what, if any, paper work was necessary to enter, the WITNESS stated there was a shack located at the entrance to Folcroft across the road from the Tri-County garage. The WITNESS stated that an employee of Folcroft was always in the shack and stopped all trucks entering Folcroft. For each truck entering Folcroft, a ticket was filled out by a Folcroft employee indicating the name of the company and the size of the truck. The WITNESS stated that all Tri-County trucks did not have to stop at this shack and were directed by the bulldozer operator at Folcroft to a location to dispose of their waste.

"When asked the names of other individuals that worked for Tri-County Hauling or Folcroft, the WITNESS provided the following.

- John Lee
- Jim Barney
- Harry Pine
- James Bennett
- Sonny Maxwell
- Elwood Johnson
- Henry Sanders
- Joe Sanders

"I declare under penalty of perjury that the foregoing is true and correct."

Executed on _____
(Date)

Signed _____
[REDACTED]



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

Lower Darby Creek Area Superfund Site Interview Summary Confidential Source #6



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Customer Service Hotline: 1-800-438-2474*

INTERVIEW SUMMARY
Work Assignment ES002
Lower Darby Creek Area Site

[REDACTED]

Prepared for:

U.S. Environmental Protection Agency
Region III
Enforcement Support Services
Hazardous Site Cleanup Division
1650 Arch Street
Philadelphia, PA 19103

Prepared by:

DASTON Corporation
210 West Washington Square
Suite 210
Philadelphia, PA 19106

Work Assignment Number:	ES002
Date Submitted:	February 8, 2002
Contract Number:	68-S3-01-01
EPA Work Assignment Manager:	Carlyn Prisk
Telephone Number:	(215) 814-2625
DASTON Work Assignment Manager:	Eric D. Bailey
Telephone Number:	(215) 923-4404
Interviewer:	Michael McCloskey, Tri-State Enterprise

ENFORCEMENT CONFIDENTIAL

Name:

[REDACTED] WITNESS)
C/O Joseph F. O'Dea, JR., Saul Ewing, LLP
1500 Market Street, 38th Floor
Philadelphia, PA 19102

Affiliation:

Former Employee/Tri-County Hauling

Telephone:

(215) 927-7109

Type of Interview:

In-Person

Date of Interview:

January 25, 2002

On January 25, 2002, the WITNESS was interviewed at the law offices of Saul Ewing, LLP, 1500 Market Street, 38th Floor, Philadelphia, PA by Michael McCloskey of Tri-State Enterprise. The WITNESS was interviewed as part of the potentially responsible party search currently being conducted under Work Assignment NO. ES-002 involving the Lower Darby Creek Area, Delaware County, PA (the "Site"). This interview focused on the Folcroft Landfill (Folcroft). The WITNESS was provided with a copy of the letter of introduction, advised of the nature of the questions to be asked. This interview was not tape-recorded. The following individuals were also present during this interview.

- Joseph F. O'Dea, JR.: Attorney representing Waste Management Corporation (WMC)
- Brian Nishitani: Attorney for the United States Environmental Protection Agency, Region III. (USEPA).
- Carolyn Prisk: Civil Investigator for the USEPA, Region III.

During the course of this interview, the WITNESS responded to questions based on guidelines provided by the United States Environmental Protection Agency for former employees.

The WITNESS was shown a map of the Site and this map was used throughout the interview.

The WITNESS was asked to explain his association with the Folcroft Landfill and Tri-County Hauling.

The WITNESS stated that Folcroft Landfill and Tri-County Hauling were owned by Bernie McNichol and managed and operated by Edward P. Mullen. The WITNESS stated that the office for Tri-County Hauling was located at the entrance to the Landfill and that all vehicles entering the Landfill had to stop at the entrance. A Folcroft Landfill employee would fill out a ticket indicating the name of the company and the size of the truck. If the Company was on a billing basis, the Folcroft employee would give the truck driver a copy of the ticket and turn in the original ticket to the Folcroft office and the company would be billed for the use of the

Landfill based on the size of the truck. The WITNESS stated that if the Company were not on a billing basis, the Folcroft employee would collect the money from the truck driver at the time of entrance into the Landfill.

When asked if any truck was refused entrance into the Landfill due to the type of waste, the Witness stated no.

The WITNESS stated that he worked for the Folcroft Landfill from [REDACTED] to [REDACTED]. He indicated that he drove one of the Landfill dump trucks to pick up incinerator ash from the Delaware County incinerator and transport the ash to the landfill for disposal. The Witness explained that the Delaware County incinerator was located approximately 500 yards from the entrance to the Landfill and was a 24-hour a day operation. The WITNESS stated that the Folcroft Landfill had a contract with the Delaware County incinerator for two years from [REDACTED] to [REDACTED]. The WITNESS stated that a Tom Dugan also drove one of the Folcroft dump trucks and picked up the ash from the Delaware County incinerator.

The WITNESS stated that he also worked as a part time night watchman at the Landfill during the two years he was employed by Folcroft. The WITNESS stated that his duties as a night watchman included logging in trucks that came in at night.

When asked the names of the companies or waste transporters that disposed of waste while he was the night watchman, the WITNESS provided the following.

- Eastern Industrial: The WITNESS stated that Eastern Industrial brought in 30 and 40-cubic yard roll off containers of waste from the Boeing Plant located off of Industrial Highway in Ridley Park, PA. He indicated that Buck Frank was the truck driver for Eastern Industrial and that Frank made approximately four trips into the Landfill each night with a full 30 or 40-cubic yard roll off container.

The WITNESS stated that he could not recall the names of other transporters or generators that disposed of waste at the Folcroft Landfill when he was the night watchman from [REDACTED] to [REDACTED].

The WITNESS stated that in 1965 the Folcroft Landfill lost the contract with the Delaware County incinerator to pick up the incinerator ash. The WITNESS stated that in [REDACTED] he was hired by Tri-County Hauling as a truck driver and that he primarily drove a roll-off truck.

The WITNESS was asked to identify the industrial locations where he picked up waste from and transported this waste to the Folcroft Landfill. The WITNESS was also asked to describe the waste for each location.

The WITNESS explained that all of the waste he picked up between [REDACTED] and [REDACTED] was transported to the Folcroft Landfill. He indicated that the SCA Corporation purchased Tri-County Hauling in about 1974 and that he continued to transport waste to the Folcroft Landfill until the Landfill closed in 1975. The WITNESS then provided the names of the

following companies that he picked up waste from and transported the waste to the Folcroft Landfill.

- MAB Bruder Paints (Bruder): The WITNESS explained that this company was located at 53rd and Lindbergh Avenue in Philadelphia, PA. He indicated that this Bruder mixed paints in preparation for retail sales. The WITNESS stated that he picked up waste on an on-call basis about 1 time each week. He indicated that Bruder had a holding tank located outside the rear of the building and that this tank contained paint and paint thinner. He described the tank as approximately 5-feet tall and 3-feet wide. The WITNESS stated that Bruder also had a 20-cubic yard dumpster located in the front of the building and that he picked up this container approximately one time each week.
- Pennsylvania Electric Company (PECO): The WITNESS stated that PECO was located at 23rd and Market Street and that he picked up a 20-cubic yard dumpster approximately 4-times each week. He indicated that this waste included some oilcans, dirty rags, wood and paper. The WITNESS stated that this location was used as a vehicle maintenance garage.
- United Custom Cardboard (United): The WITNESS stated that United was located in the northeast section of Philadelphia. He could not recall the exact location. He indicated that he picked up a 30 or 40-cubic yard container one time each week from this location. He described the waste as cardboard.
- Comley Container Company (Comley): The WITNESS stated that this company was located at Belmont Avenue and the Schuylkill River. The WITNESS stated that he picked up a 40-cubic yard container one time each week and described the waste as cardboard.
- TV Guide Company (TV Guide): The WITNESS stated that this company is located in Radner, PA and is the company that produces the TV Guide. The WITNESS stated that he picked up a 40-cubic yard container one time each week. He described the waste as paper.
- University of Pennsylvania Hospital (UPH): The WITNESS stated that he picked up a 40-cubic yard compactor container at this location one time each day. The WITNESS described the waste as all waste coming from the Hospital including medical waste. He indicated that the medical waste was usually placed in plastic bags and that some of these bags would fall out of the compactor. The Witness stated that on a few occasions he was stuck by needles when he picked up the loose plastic bags.
- Temple Hospital: The WITNESS stated that he picked up a 40-cubic yard compactor container about one time each day. He indicated that the waste would include all waste generated at the Hospital including medical waste.

The WITNESS stated that Tri-County Hauling supplied roll-off containers to numerous construction companies that were renovating large buildings. He indicated that Tri-County Hauling would pick up these containers when full, on an on-call basis, and dispose of the waste at the Folcroft Landfill. The WITNESS provided the names of the following locations

where Tri-County Hauling placed roll-off containers for construction debris. The WITNESS also provided the names of the construction companies he could recall at these locations.

- Rohm & Haas (RH): The WITNESS stated that Tri-County Hauling supplied dumpsters for J.J. White Construction Company (White) at this location while White performed renovations. The WITNESS stated that the debris consisted of cement and wood. The WITNESS could not recall when this construction project took place.
- Allied Chemical Company (ACC): The WITNESS stated that Tri-County Hauling provided roll-off containers for a construction company at this location. He was unable to provide the name of the construction company.
- McCloskey Construction Company (McCloskey): The WITNESS stated that Tri-County Hauling provided roll-off containers for McCloskey at numerous locations and provided the following locations that he could recall.

1. Veterans Stadium

2. Spectrum

3. Civic Center

- DuPont Company (DuPont): The WITNESS stated that DuPont was located at 34th and Grays Ferry Avenue. The WITNESS stated that Tri-County Hauling supplied roll-off containers at this location during a renovation project. He could not recall the name of the construction company.
- Philadelphia Navy Yard (PNY): The WITNESS stated that Tri-county Hauling supplied a roll-off container at this location for a contract construction company. He could not recall the name of the construction company.

The WITNESS stated that in about 1970, Tri-County Hauling operated a transfer station in Conshohocken, PA. The WITNESS stated that the Municipalities of Norristown and Ambler Townships disposed of their waste at this transfer station. The WITNESS stated that this was residential waste. The WITNESS stated that this waste was disposed of at the Folcroft Landfill until it closed and was then taken to the Pottstown Landfill for disposal.

When asked the names of other waste transport companies that disposed of waste at the Folcroft Landfill, the WITNESS provided the following.

- Schiavo Brothers: Correct spelling unknown
- Ace Service Corporation
- Charles Crumley
- Barrett Company: The WITNESS stated that Barrett was shingle-manufacturing company and that Barrett had their own trucks.

When asked the names of other Tri-County employees that may have knowledge of waste disposal activity at the Folcroft Landfill, the WITNESS provided the following. The correct spelling of these names has not been confirmed.

- Nat Cavanagh: Bookkeeper
- Tom Dugan: Dump truck driver
- Tom Carrol: Truck driver
- Harlon Wolfe: Truck driver
- Bill Baker: Deceased
- Frank Rueter: Worked in office
- Don Haldelman: Worked in office
- John Lee: Shop steward
- Joe Sanders
- Gordon Garling
- Teddy focht
- Eddie Smith
- Blinky Williams
- Harry Sanders: Deceased

"I declare under penalty of perjury that the foregoing is true and correct."

Executed on _____

(Date)

Signed _____

[REDACTED]

1/25/02

7th County, Hauling and processing to Folcroft Landfill



Map of 10/4/01



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

Lower Darby Creek Area Superfund Site Interview Summary Confidential Source #11



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INTERVIEW SUMMARY
Work Assignment ES002
Lower Darby Creek Area Site

[REDACTED]

Prepared for:

U.S. Environmental Protection Agency
Region III
Enforcement Support Services
Hazardous Site Cleanup Division
1650 Arch Street
Philadelphia, PA 19103

Prepared by:

DASTON Corporation
210 West Washington Square
Suite 210
Philadelphia, PA 19106

Work Assignment Number:	ES002
Date Submitted:	March 27, 2002
Contract Number:	68-S3-01-01
EPA Work Assignment Manager:	Carlyn Prisk
Telephone Number:	(215) 814-2625
DASTON Work Assignment Manager:	Eric D. Bailey
Telephone Number:	(215) 923-4404
Interviewer:	Michael McCloskey, Tri-State Enterprise

ENFORCEMENT CONFIDENTIAL

Name: [REDACTED] WITNESS)
c/o Joseph F. O'Dea, Jr., Saul Ewing, LLP
1500 Market Street, 38th Floor
Philadelphia, PA 19102

Affiliation: Former Employee/Tri-County Hauling

Telephone: (215) 972-7109

Type of Interview: In-Person

Date of Interview: March 25, 2002

On March 25, 2002, the WITNESS was interviewed at [REDACTED] by Michael McCloskey of Tri-State Enterprise. The WITNESS was interviewed as part of the potentially responsible party search currently being conducted under Work Assignment NO. ES-002 involving the Lower Darby Creek Area, Delaware County, PA (the "Site"). This interview focused on the Folcroft Landfill (Folcroft). The WITNESS was provided with a copy of the letter of introduction, advised of the nature of the questions to be asked and advised that the interview was voluntary. The WITNESS advised that he is represented by Cathleen Devlin, Esq., in this matter. This interview was not tape-recorded. The following individuals were also present during this interview.

- Brian Nishitani: Attorney for the United States Environmental Protection Agency, Region III (USEPA).
- Cathleen Devlin: Attorney representing Waste Management Corporation and [REDACTED]

During the course of this interview, the WITNESS responded to questions based on guidelines provided by the United States Environmental Protection Agency for former employees.

The WITNESS was shown a map of the Site and this map was used throughout the interview.

The WITNESS was asked to explain his association with the Site.

The WITNESS stated that he worked for the Tri-County Hauling at the Folcroft Landfill from [REDACTED]. He indicated that he was primarily a truck driver during the time he worked for Tri-County Hauling. He indicated that he also worked on the Landfill as a fill-in when needed. He indicated that he worked on the Landfill about one day a month and drove the front-end loader on the Landfill. The WITNESS explained that he used the front-end loader as a bulldozer to move the trash on the Landfill.

The WITNESS explained that Bernie McNickle was the "Boss" at the Landfill and Ed Mullen was the manager of the Landfill and Tri-County Hauling. The WITNESS stated that Ed Mullen would tell him when to work on the Landfill.

When asked the names of other individuals that worked on the Landfill, the WITNESS provided the following.

- Bobby Williams
- Henry Sanders: Deceased
- Joe Beigler
- Slim: Actual name unknown
- Bernie McHugh: Was the boss at the Landfill after Ed Mullen died.

The WITNESS was asked to describe the Folcroft Landfill and to explain how the Landfill was filled.

The WITNESS stated that Tri-County Hauling had a garage and office building at the entrance to the Landfill. He indicated that there was a shack located across the road from the office that was used by Tri-County to log trucks into the Landfill. The WITNESS stated that there was only one way into the Landfill and that was off of Calcon hook road. He indicated by looking at the map that the entrance to the Landfill was just past the Delaware County incinerator. The WITNESS indicated that the fill area started about 100 feet south of the Tri-County garage and was moved in a south direction as the fill area grew. The WITNESS stated that the Folcroft Annex was used for a period of time and then the fill area was moved back to the main Landfill. The WITNESS did not know why the Annex was used or for the length of time the Annex was used.

When asked if there were any special areas on the Landfill to dispose of drums or liquid waste, the WITNESS stated not to his knowledge.

When asked to describe the types of equipment that was used on the Landfill, the WITNESS provided the following.

- Crane: Used to dig holes.
- Front-end loader: Used to move trash and cover trash.
- Bulldozer: Used to move trash and cover trash.

The WITNESS stated that he usually drove a truck during the time period he worked for Tri-County Hauling. He further stated that he drove a roll off truck most of the time. He indicated that he occasionally drove a lugger truck.

When asked to describe any receipts or logs that were used during the course of picking up waste for Tri-County Hauling, the WITNESS stated that at each location he picked up a container there was a receipt signed. He further explained that when he picked up a container he had a ticket with a carbon copy that would name the location of the pick up and the size of the container. The WITNESS stated that he would have someone at the site of the container

sign this ticket. The WITNESS stated that he would keep the original and give the person signing the ticket the carbon copy. The WITNESS stated that he would turn in the tickets he kept to the Tri-County office at the end of his shift.

The WITNESS was asked to identify the locations that he picked up waste from and disposed of the waste at the Folcroft Landfill. The WITNESS was also asked to provide the type of trash container used at each location and to describe the types of waste that was picked up at each location. The WITNESS provided the following.

- Philadelphia Navy Yard (PNY): The WITNESS stated that Tri-County Hauling had a contract with the PNY at different times while the Folcroft Landfill was in use. He indicated that from time to time Tri-County would lose the contract and then regain the contract at the next bid period. He indicated that the contract duration may have been for a one-year period. The WITNESS stated that the PNY had a Landfill on the PNY property located in the area of the back gate of the PNY. When asked the WITNESS stated that this PNY Landfill could have been about the size of a football field. The WITNESS stated that the PNY had trash trucks that picked up waste throughout the PNY and disposed of this waste at this PNY Landfill. The WITNESS stated that Tri-County Hauling kept one and sometimes two 40 cubic yard containers at this location and that he picked up full containers at this location on a daily basis and stated sometimes he would make 8-10 trips each day. The WITNESS stated that the PNY placed the waste from this Landfill into the containers and that these containers were transported to the Folcroft Landfill by Tri-County trucks and the waste was disposed of at the Folcroft Landfill. When asked to describe the waste, the WITNESS stated that he recalls sandblasting residue from ships, which would include paint chips and rust chips. The WITNESS stated that he also recalls pipes and wrapping from pipes, which included loose asbestos. He was unable to describe any other waste.
- University of Pennsylvania (UP): The WITNESS stated that he picked up waste in a 40 cubic yard container that was located in the kitchen area at the UP. He stated this pick up was on an "on call" basis and that he may have made one trip each week. He described the waste as kitchen waste.
- Marriott Hotel: The WITNESS stated that this Marriott is located on City Avenue in Philadelphia. He indicated that he picked up a 40 cubic yard compactor container from this location about 1-2 times each week. He described the waste as kitchen waste.
- Presbyterian Hospital: The WITNESS stated that he picked up a 30 cubic yard container from this location about one time each week. He described the waste as household trash and provided no further description.
- US Mint: The WITNESS stated that the US Mint is located in the area of 4th and Cherry Street. He indicated that he picked up a 40 cubic yard container one time each week. He was unable to provide a description of the waste other than to say it was trash.

- McCloskey Construction Company: The WITNESS stated Tri-County Hauling provided roll off containers at many of the McCloskey construction sites. The WITNESS stated that this waste would be disposed of at the Folcroft Landfill. The WITNESS provided the following McCloskey construction sites that he recalls picking up 40-yard containers from. 1. I95 construction through Philadelphia. 2. The Spectrum 3. Veteran's Stadium The WITNESS stated the waste consisted of construction debris such as concrete, wood and pipes. He was unable to describe the waste further.
- General Electric (GE): The WITNESS stated that GE is located at 74th and Elmwood Street. He indicated that he picked up a 40 cubic yard compactor container at this location on an on call basis about 1-2 time each week. He indicated that some of the waste included metal and cooper wire.
- MAB Bruder Paints (MAB): The WITNESS stated that MAB was located at 51st Street and Grays Ferry in Philadelphia. He indicated that he picked up a 40 cubic yard compactor container about 1 time each week. The WITNESS stated that MAB also had a tank mounted on wooden skids that was used to hold liquid waste. He indicated that this tank was about the size of a 40 cubic yard container and that he picked up this tank about 3-4 times a month on an on call basis. The WITNESS stated that he picked up the tank in a roll off truck and transported the tank to the Landfill. The tank had a valve in the back and he would open the valve and the liquid would drain out. He described the liquid as having a paint odor. He indicated that after the tank was empty he returned the tank to MAB. When asked the names of any MAB employees that he dealt with, the WITNESS stated that he recalls a Jack, unknown last name, that was present when he picked up the tank.
- Wyath Labs: The WITNESS stated that he picked up a 40-cubic yard open top container on an on call basis. He could not recall the type of waste other than to say the waste was bulk trash.
- Philadelphia Electric Company: The WITNESS stated that he picked up roll off containers and lugger containers at numerous Philadelphia Electric Company locations. The WITNESS provided the following locations. 1. Port Richmond. 2. 23rd and Market Street. 3. Calowhill Street. 4. Philadelphia Electric at Eddystone. The WITNESS stated that he picked up lugger containers at Eddystone and that these containers had water and dead fish as part of the waste. The WITNESS stated that Philadelphia Electric Company also had their own trucks that transported waste to the Folcorft Landfill.
- Nabisco Company: The WITNESS stated that Nabisco is located on Roosevelt boulevard and he picked up a 40 cubic yard open top container at this location on an on call basis. He did not describe the type of waste other than to say it was trash.
- Budd Company: The WITNESS stated that this Company was located in the Hunting Park area. He described the waste as trash.

- Jordan Chemical Company: The WITNESS stated that he picked up a 40 cubic yard container from this location on an on call basis. He stated that the waste had a chemical odor. He could not describe this odor any further.
- Oil Tank Lines: The WITNESS stated that he had observed this company dispose of liquid waste from tanker trucks on the Folcroft Landfill. He did not know what this liquid waste was.
- TV Guide: The WITNESS stated that he picked up a 40 cubic yard roll off container from this location and he described the waste as old paper.
- US Post Office at 30th Street: The WITNESS stated that he picked up a 30-yard compactor container from this location on a daily basis.
- Connelly Container: The WITNESS stated that he picked up an open container at this location. He could not recall the size of the container or the type of waste.
- Maaco: The WITNESS stated that this is the Maaco located in the north east section of Philadelphia. He indicated that he picked up waste from a dumpster at this location. He did not say how often this waste was picked up.
- Rohm & Haas: The WITNESS stated that this company is located in the Port Richmond area of Philadelphia. He stated that he picked up roll off containers for construction companies when this Plant was going through renovations. He could not recall the name of the Construction Company. He indicated that the waste was construction debris such as concrete and wood. The WITNESS stated that this waste also contained excavation waste.
- Boeing Company: The Witness stated that he picked up construction debris/trash from construction contractor companies at this location.

The WITNESS stated that he also picked up roll off containers in New Jersey and Delaware and that he transported this waste to the Folcroft Landfill. He could not recall the specific locations but indicated that the waste came from mostly construction sites.

When asked the names of other waste transporters that he had observed disposing of waste at the Folcroft Landfill the WITNESS provided the following.

- Crumley Waste: The WITNESS stated that Crumley had rear end loader trucks.
- Eastern Industrial: The WITNESS stated Eastern had roll off and rear end loader trucks.
- Hawthorne Demolition Company: The WITNESS stated this Company had tractor-trailers.
- Cleveland Wrecking: The WITNESS stated this company had dump trucks
- Harman Trash: The WITNESS stated this company had roll off trucks.
- Harway Trash: The WITNESS stated this company had roll off and rear end loader trucks.
- Gene Banta: The WITNESS stated this company had roll off trucks.

- Philadelphia Electric: The WITNESS stated this company had dump trucks.
- Barrett Roofing: The WITNESS stated this company used a dump truck.
- General electric: the WITNESS stated that this Company used a dump truck.
- Barcalow Company: The WITNESS stated this Company used dump trucks.
- Oil Tank Lines: The WITNESS stated this Company used tanker trucks.
- Arco/Gulf Refining: The WITNESS stated this Company used dump trucks.
- Bernie McHugh: The WITNESS stated McHugh dump trucks.

When asked the names of other individuals that might have relevant knowledge of waste disposal practices at the Folcroft Landfill, the WITNESS provided the following.

- Thomas Dugan: Tri-County dispatcher
- Tom Carroll: Tri-County dispatcher.
- Jack(last name unknown): Worked at MAB and might have specific knowledge of the waste in the holding tank at that location.
- Joe Beigler: Worked on the Landfill and may still be alive.
- Bernie McHugh: worked on the Landfill
- Bobby Williams: worked on the Landfill.

"I declare under penalty of perjury that the foregoing is true and correct."

Executed on _____
(Date)

Signed _____
[REDACTED]



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

Lower Darby Creek Area Superfund Site
Interview Summary
Confidential Source #13



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INTERVIEW SUMMARY
Work Assignment ES002
Lower Darby Creek Area Site

[REDACTED]

Prepared for:

U.S. Environmental Protection Agency
Region III
Enforcement Support Services
Hazardous Site Cleanup Division
1650 Arch Street
Philadelphia, PA 19103

Prepared by:

DASTON Corporation
210 West Washington Square
Suite 210
Philadelphia, PA 19106

Work Assignment Number:	ES002
Date Submitted:	May 20, 2002
Contract Number:	68-S3-01-01
EPA Work Assignment Manager:	Carlyn Prisk
Telephone Number:	(215) 814-2625
DASTON Work Assignment Manager:	Eric D. Bailey
Telephone Number:	(215) 923-4404
Interviewer:	Michael McCloskey, Tri-State Enterprise

ENFORCEMENT CONFIDENTIAL

Name: [REDACTED] (WITNESS)
[REDACTED]

Affiliation: Former Employee/ SCA and Former
Owner/Operator of [REDACTED]

Telephone: [REDACTED]

Type of Interview: In-Person

Date of Interview: May 9, 2002

On May 9, 2002, the WITNESS was interviewed at his residence by Michael McCloskey of Tri-State Enterprise. The WITNESS was interviewed as part of the potentially responsible party search currently being conducted under Work Assignment NO. ES-002 involving the Lower Darby Creek Area, Delaware County, PA (the "Site"). This interview focused on the Folcroft Landfill (Folcroft). The WITNESS was provided with a copy of the letter of introduction, advised of the nature of the questions to be asked and advised that the interview was voluntary. The WITNESS was asked if he was represented by an attorney in this matter. The WITNESS stated yes and stated that his attorney was present. This interview was not tape-recorded and the following individuals were also present during this interview.

- Carlyn Prisk: Civil Investigator for the United States Environmental Protection Agency (USEPA).
- Joseph F. O'Dea, Jr.: Attorney representing Waste Management and [REDACTED]
- Cathleen Devlin: Attorney representing Waste Management.

During the course of this interview, the WITNESS responded to questions based on guidelines provided by the USEPA for former employees and former owner/operators.

The WITNESS was shown a map of the Site and this map was used throughout the interview. This map is attached to this interview summary.

The WITNESS was asked to explain his association with the Site.

The WITNESS stated that from the mid-1960s to approximately 1973 he owned and operated a waste transport company known as [REDACTED] or [REDACTED]. The WITNESS stated that in 1973 [REDACTED] was purchased by SCA Corporation (SCA) and he was hired by SCA at that time.

The WITNESS was asked if he transported waste to Folcroft while he owned and operated [REDACTED]. The WITNESS stated that he disposed of waste at Folcroft on a daily basis. The WITNESS stated that he owned and operated two 20-cubic yard rear-end loader trash trucks. The WITNESS stated that his business consisted mostly of picking up waste from the Bell Telephone locations in the City of Philadelphia and also from locations in the immediate

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surrounding area. The WITNESS indicated that these Bell Telephone facilities consisted of office buildings and maintenance garages.

When asked to identify the locations of the Bell Telephone facilities and to describe the waste at each location, the WITNESS stated that the waste was generally the same for the office locations and described this waste as regular office waste such as paper. The WITNESS stated that the waste picked up at Bell Telephone garages was generally the same for all of the garages and he described this waste as corrugated metal, strands of wire (used to hold up telephone poles), and some copper wire. The WITNESS stated that occasionally he would be asked to make some special trash pickups and that this trash usually consisted of the trunk part of telephone poles.

When asked to identify the locations of the Bell Telephone facilities from which waste was picked up and transported to Folcroft, the WITNESS provided the following location information:

- 15th and Arch, Philadelphia, PA: The WITNESS stated this was office waste;
- 17th and JFK, Philadelphia, PA: The WITNESS stated this was office waste;
- 25th and Pine, Philadelphia, PA: The WITNESS stated this was garage waste;
- Broad and Passyunk, Philadelphia, PA: The WITNESS stated this was office waste;
- Lehigh and Indiana, Philadelphia, PA: The WITNESS stated this was garage waste;
- Germantown Avenue, Philadelphia, PA: The WITNESS stated this was office waste;
- Washington Lane, Philadelphia, PA: The WITNESS stated this was garage waste;
- 11th and Indiana, Philadelphia, PA: The WITNESS stated this was garage waste;
- Frankford Avenue, Philadelphia, PA: The WITNESS stated this was garage waste;
- 58th Street, Philadelphia, PA: The WITNESS stated this was garage waste;
- Castor and Cottman, Philadelphia, PA: The WITNESS stated this was garage waste; and
- Roosevelt Boulevard, Philadelphia, PA: The WITNESS stated this was office waste.

The WITNESS stated that [REDACTED] also picked up waste from Bell Telephone facilities in Delaware County, including Upper Darby, Lynwood and Broomall. The WITNESS was not specific about the addresses of these facilities.

When asked the names of other [REDACTED] customers whose waste [REDACTED] had transported to Folcroft, the WITNESS provided the following information:

- An upholstery shop on Spring Street in Philadelphia. The WITNESS could not recall the name of this business.
- A flower shop on Germantown Avenue. The WITNESS could not recall the name of this business.

The WITNESS stated that he also had some special or extra waste transport jobs that operated on an as-needed basis for the Bell Telephone Company. He stated that these special jobs usually consisted of transporting the butt ends of telephone poles to Folcroft.

When asked the names of other drivers for [REDACTED] the WITNESS provided the following names:

- James Dancy
- Jerry Conklin

When asked how [REDACTED] was charged for disposing of waste at Folcroft. The WITNESS stated that there was a shack and later, an old bus located at the entrance of Folcroft. The WITNESS stated that he was charged \$10.00 for each load transported to Folcroft. He indicated that payment was on a cash basis and he usually gave the cash to Ed Mullen, Sr. or Bernie McNichol.

When asked if he was ever asked by Folcroft employees what type of trash he was bringing into the Folcroft Landfill, the WITNESS stated no. When asked if he was ever told by any Folcroft employees not to bring in certain types of waste, the WITNESS stated no. When asked if Folcroft ever refused to accept any type of waste, the WITNESS stated not to his knowledge and he further stated that he believes any type of waste was accepted at Folcroft.

The WITNESS stated that he also owned and operated a business on Folcroft property during the time the landfill was in operation. He called this business Eco Research Systems, Inc. The WITNESS stated that he was in partnership with some other waste transporters and he named one as Ace Services, which was owned by Bill Ells (sp?). The WITNESS stated that this business was experimenting with manufacturing fence posts out of trash. He indicated that the business never got off the ground.

The WITNESS was asked who owned and operated the Folcroft Landfill. The WITNESS stated that Wilber Henderson owned the property, but was not involved in the operation of Folcroft. The WITNESS stated that Bernie McNichol owned the Folcroft Landfill business and he, along with Ed Mullen, Sr., were responsible for the day-to-day operations at Folcroft.

The WITNESS stated that Wilber Henderson was interested in deposits of gravel beneath Folcroft. The WITNESS stated that at some locations on Folcroft, the drag-crane dug down to approximately 80 feet. The WITNESS stated that there was a bed of bar sand under the marsh and under the bar sand was a deposit of gravel. The WITNESS stated that Wilbur Henderson wanted to eventually dig up the gravel for its sale value.

When asked when and how the Folcroft Landfill was closed, the WITNESS stated that in 1973 or 1974, the Pennsylvania Department of Environmental Resources (PADER) informed Bernie McNichol that Folcroft was ordered to close. The WITNESS stated that he did not know the reason for this closure order. The WITNESS stated that the following PADER officials were at the Site during the landfill closure in a supervisory capacity:

- Wayne Lynn
- Bruce Beitler

The WITNESS stated that sometime during this period Bernie McNichol died and Ed Mullen, Sr. took over the responsibility of closing Folcroft and began operating Tri-County Hauling on behalf of the Estate of Bernie McNichol and the Folcroft Landfill Development Corporation.

When asked to describe the activities associated with closing the landfill, the WITNESS stated that closing Folcroft consisted of covering all 55-acres of land that consisted of the

Folcroft Landfill with dirt. The WITNESS stated that a company named Brenneman (sp?) brought in numerous dump truck loads of sand that was used to cover the Folcroft Landfill. The WITNESS stated that this was done under the direction of PADER through Wayne Lynn or Bruce Beitler. The WITNESS stated that he had been told by Wayne Lynn that this sand was from a refinery located in Chester, PA, and that the sand was off-color material. The WITNESS stated that he believed this sand was contaminated in some way. He was unable to recall the name of the refinery or describe this sand any further.

The WITNESS stated that during the time Folcroft was in the process of being closed and no longer receiving waste, Ed Mullen, on behalf of the Bernie McNichol Estate, sold Tri-County Hauling to SCA. SCA continued to operate Tri-County Hauling out of the garage located at Folcroft. The WITNESS stated that SCA then purchased Joseph J. McCann Trash Company. The WITNESS stated that SCA then purchased [REDACTED] and that he was hired by SCA at that time.

The WITNESS stated that Ed Mullen died during the time of the closing of Folcroft. The WITNESS stated that at the time he was an employee of SCA and that he was contacted by Charles Stocker, Esquire, who was the attorney representing the Bernie McNichol Estate and or the Folcroft Landfill Development Corporation. The WITNESS stated that Stocker offered SCA free rent at the garage if the WITNESS was permitted to continue to close Folcroft on behalf of the Folcroft Landfill Development Corporation and/or the Bernie McNichol Estate. The WITNESS stated that this arrangement was agreed to by SCA and that he, in close coordination with PADER, finished closing the Folcroft Landfill.

The WITNESS was asked the names of other waste disposal companies that disposed of waste at the Folcroft Landfill. The WITNESS provided the following:

- Ace Services: The WITNESS had named Ace while describing Eco Systems.
- Charles Crumly: The WITNESS stated that Crumly operated 4-5 rear-end loader trucks.
- Tri-County Hauling: Had a garage on the Site and operated roll-off and rear-end loader trucks.
- Buckley Construction: Construction company that built bridges.
- McCloskey Construction: Construction company owned by Matt McCloskey that built large structures including Veterans Stadium in Philadelphia
- Eastern Industrial: This company had roll-off containers and rear-end and compactor trucks. This company picked up waste from the Boeing Plant among many other locations. The WITNESS stated that Eastern was owned by Doc Mahan (sp?) and operated by John Alex and John Moore.
- Gene Banta Trash
- Crispin Brothers Trash
- Lafferty and Sons
- Barrett Roofing: The WITNESS stated that this company was located at 36th Street and Grays Ferry in Philadelphia and disposed of tar shingles at Folcroft.
- New Way Trash (sp?) or Nu Way (sp?): The WITNESS stated that New Way picked up waste from Scott Paper.
- PECO: The WITNESS stated that PECO had its own dump trucks that disposed of waste at Folcroft.

When asked if he had observed any drum waste disposed of at Folcroft, the WITNESS stated no.

When asked if he had observed any liquid waste disposed if at Folcroft, the WITNESS stated yes and provided the following.

- Marvin Jonas: The WITNESS stated that Marvin Jonas operated tanker trucks with capacities of from 5000-gallons to 10,000-gallons. He indicated that he recalls observing a tanker truck dispose of liquid waste at Folcroft at least one time each week. The WITNESS did not know what this liquid waste was and could not recall an odor to the waste.
- Sparky Barnhouse: The WITNESS stated that Sparky Barnhouse disposed of liquid waste from tanker trucks. He did not know where the waste was from. He was unable to describe any odor to this waste.

The WITNESS was asked the names of companies that Tri-County Hauling picked up from and disposed of at Folcroft. The WITNESS provided the following.

- Bruder Paints
- Philadelphia Navy Yard
- Post Office at 30th Street
- U.S. Mint
- Schiavo Brothers
- General Electric Company
- Hospital, University of Pennsylvania: The witness stated that Tri-County picked up organs in plastic bags from a room at this location. He indicated that he accompanied a driver, Ben Mathews, on at least one occasion. He indicated that the plastic bags were put in a compactor container and compacted. He stated that Ben Mathews now lives in Alabama.

When asked the names of individuals that worked at Folcroft, the WITNESS provided the following.

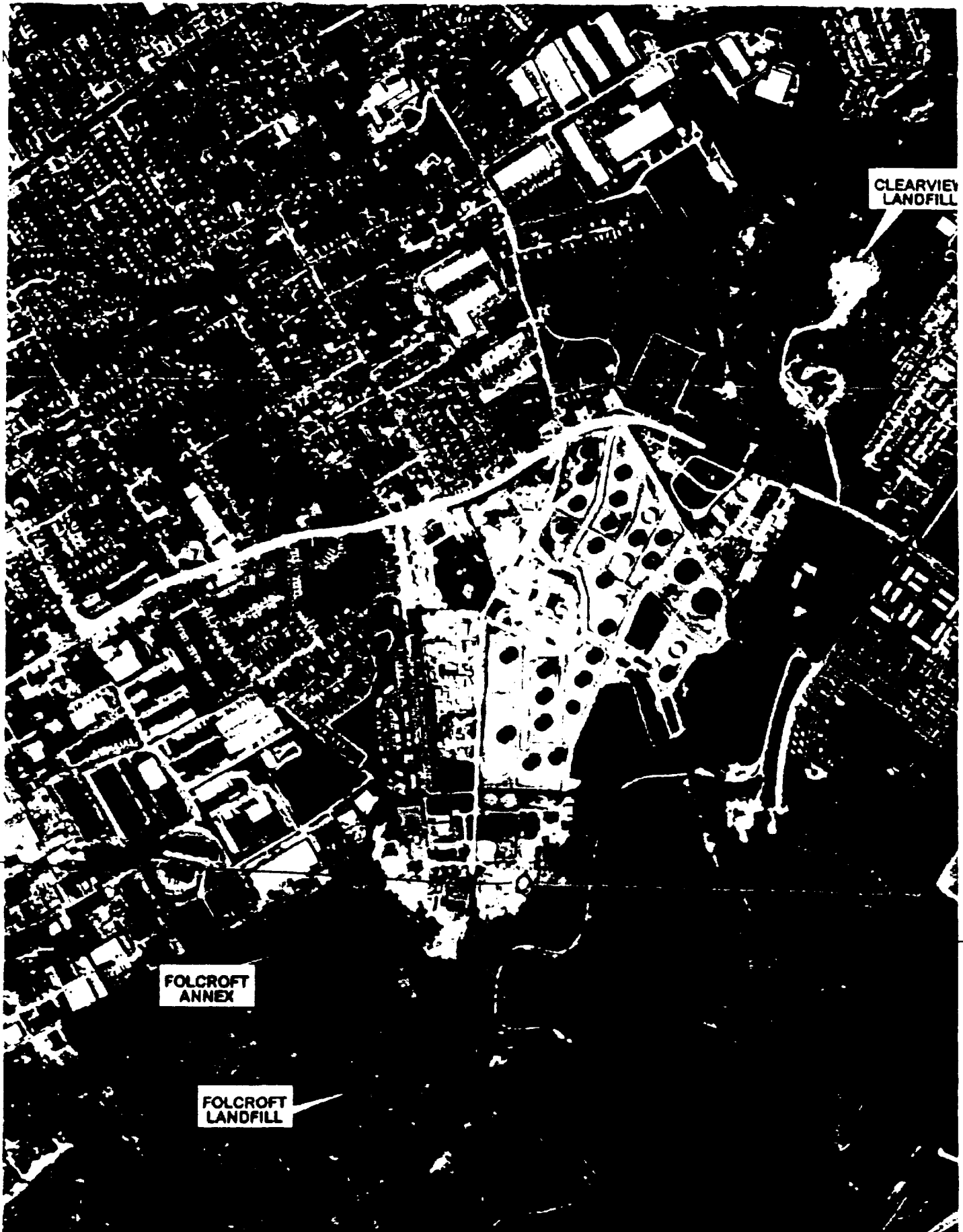
- Ed Mullen
- Ed Mullen, Jr: Bulldozer operator
- Gordon Garling: Bulldozer operator
- Henry Sanders: Bulldozer operator
- Sonny Maxwell: Picker
- Bobby Williams: Crane operator

The WITNESS was asked if he had observed a company known as Oil Tank Lines dispose of waste at the Folcroft Landfill. The WITNESS stated that he does not recall.

"I declare under penalty of perjury that the foregoing is true and correct"

Executed on _____ Signed _____
(Date) (Name)

ENFORCEMENT CONFIDENTIAL



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LOWER DARBY CREEK AREA SUPERFUND SITE

EPA REGION 3

TETRA



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

Lower Darby Creek Area Superfund Site Interview Summary Confidential Source #18



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INTERVIEW SUMMARY
Work Assignment ES002
Lower Darby Creek Area Site

[REDACTED]

Prepared for:

U.S. Environmental Protection Agency
Region III
Enforcement Support Services
Hazardous Site Cleanup Division
1650 Arch Street
Philadelphia, PA 19103

Prepared by:

DASTON Corporation
210 West Washington Square
Suite 210
Philadelphia, PA 19106

Work Assignment Number:	ES002
Date Submitted:	September 14, 2002
Contract Number:	68-S3-01-01
EPA Work Assignment Manager:	Carlyn Prisk
Telephone Number:	(215) 814-2625
DASTON Work Assignment Manager:	Eric D. Bailey
Telephone Number:	(215) 923-4404
Interviewer:	Michael McCloskey, Tri-State Enterprise

ENFORCEMENT CONFIDENTIAL

Name: [REDACTED] (WITNESS)
[REDACTED]

Affiliation: Former Employee/ Folcroft Landfill/Tri-County Hauling and Independent Trash Picker at the Folcroft Landfill

Telephone: [REDACTED]

Type of Interview: In-Person

Date of Interview: September 11, 2002

On September 11, 2002, the WITNESS was interviewed at his place of employment, [REDACTED] by Michael McCloskey of Tri-State Enterprise. [REDACTED] The WITNESS was interviewed as part of the potentially responsible party search currently being conducted under Work Assignment NO. ES-002 involving the Lower Darby Creek Area, Delaware County, PA (the "Site"). This interview focused on the Folcroft Landfill ("Folcroft"). The WITNESS was provided with a copy of the letter of introduction, advised of the nature of the questions to be asked and advised that the interview was voluntary. The WITNESS advised that he is not represented by an attorney in this matter and did not want an attorney. No other persons were present and this interview was not tape-recorded.

During the course of this interview, the WITNESS responded to questions based on guidelines provided by the United States Environmental Protection Agency for former employees.

The WITNESS was shown an aerial photograph of Folcroft and this aerial photograph was used throughout the interview.

The WITNESS was asked to explain his association with Folcroft.

The WITNESS stated that he worked at Folcroft from about the mid-1960s to approximately 1974 when the Site stopped receiving waste. The WITNESS stated that he worked for Tri-County Hauling during some of the time he worked at the Site. The WITNESS stated that when he worked for Tri-County Hauling at the site he operated a bulldozer at Folcroft. The WITNESS stated that he was usually paid "under the table" by Tri-County Hauling. The WITNESS stated that he did receive a paycheck from Tri-County Hauling on some occasions. The WITNESS stated that when he was not working for Tri-County at Folcroft, Ed Mullins, the general manager of the Folcroft Landfill, allowed him to "pick" metal waste from the piles of waste on the landfill.

When asked to explain what he meant by "pick" the waste, the WITNESS stated that he was allowed by Ed Mullen to pick through the piles of waste and remove any items of value such as copper, aluminum, brass, and cardboard. The WITNESS stated that he owned a flat-bed

truck and used this truck to load the metal items and transport these items to a scrap metal dealer. The WITNESS stated that he sold all the scrap metal he picked from Folcroft to Fred Greenburg. The WITNESS stated that Greenburg owned and operated a scrap metal yard located at 62nd and Glenmore Streets in Philadelphia.

The WITNESS stated that when SCA purchased Tri-County Hauling he was not paid to work on the landfill. The WITNESS stated that he was allowed to continue to pick waste on the landfill.

When asked if he ever transported waste to Folcroft, the WITNESS stated no. However, he indicated that in the early 1970s he was hired by Tri-County to clean out a restaurant. He indicated that the waste from this restaurant was transported to Folcroft by Tri-County trucks. The WITNESS provided the following information about this restaurant:

- Kruger Restaurant ("Kruger"): The WITNESS stated that Kruger was located in a high-rise office building at Broad and Chestnut Streets. He indicated that Kruger occupied the entire first floor. The WITNESS stated that he was hired by Tri-County to remove all of the piping and flooring in the restaurant. The WITNESS stated that this waste included asbestos from the pipes and holding tanks for grease and fuel. The WITNESS stated that he worked on this project for about 6 months. He indicated that all of the waste he removed from Kruger was transported to Folcroft by Tri-County trucks.

The WITNESS was asked the names of the transporters that he had observed disposing of waste of Folcroft. The WITNESS provided the following.

- William Crumley ("Crumley"): The WITNESS stated that Crumley had compactor trucks and roll-off trucks that transported waste to Folcroft.
- Eastern Industrial ("Eastern"): The WITNESS stated that Eastern had compactor trucks and roll-off trucks that transported waste to Folcroft. The WITNESS stated that Eastern transported waste from Boeing and the Philadelphia Navy Yard.
- Tri-County Hauling: The WITNESS stated that he did not drive a truck for Tri-County Hauling. He indicated that Tri-County Hauling operated compactor trucks and roll-off trucks. He indicated that all of Tri-County customers were industrial customers.
- Schiavo Brothers ("Schiavo"): The WITNESS stated that Schiavo had both compactor trucks as well as roll-off trucks
- Banta Trash ("Banta"): The WITNESS stated that Banta had both compactor trucks and roll-off trucks.
- Banner Trash Company ("Banner"): The WITNESS stated that Banner had compactor trucks. He was not sure if Banner had roll-off trucks.

The WITNESS stated that numerous tanker trucks disposed of liquid waste at the site. He could not recall the names of any of these tanker truck companies. He indicated that one tanker truck company had New Jersey printed on the doors.

When asked if he ever observed drum waste disposed of at the Site, the WITNESS stated yes. He indicated that another company from New Jersey brought in approximately 50 full 55-gallon steel drums two to three times each month. The WITNESS stated that he was directed by Ed Mullins to empty these drums in the fill area and then stack the drums near the garage. The WITNESS stated that these empty drums were picked up by a flat bed truck owned by Marvin Jonas. The WITNESS stated that he does not recall the name of the New Jersey company. The WITNESS stated that these drums contained a red liquid that had a paint thinner odor. He indicated that on one occasion he rubbed his eye with his glove while emptying a drum. He indicated that his eye became swollen and he was unable to see for about one week.

When asked the names of businesses that had waste disposed of at Folcroft, the WITNESS provided the following.

- MAB Bruder Paints ("MAB"): The WITNESS stated that Tri-County had installed an outside portable holding tank at MAB. He stated that about one time each week this tank was transported to Folcroft and the liquid contents were poured on the ground in the fill area. He indicated that this liquid smelled like paint thinner. He indicated that the tank had a capacity of approximately 6000 gallons.
- Boeing Plant in Ridley Township: The WITNESS stated that Eastern Industrial ("Eastern") had numerous 40-cubic yard roll-off containers at this location and that Eastern transported about three containers a day to Folcroft. The WITNESS stated that he "picked this waste because it contained aluminum and cardboard." He indicated that this waste also contained old piping that was packed in asbestos.
- Philadelphia Navy Yard ("PNY"): The WITNESS stated that both Eastern and Tri-County had roll-off containers of every size located at the PNY. He indicated that 3-4 roll-off containers from the PNY were transported to Folcroft each day. The WITNESS stated that he also picked this waste and he described the waste as pipes with asbestos, cardboard, aluminum, and brass. He indicated that he did not pick all of the waste that came from the PNY. He indicated that some of the waste was dirt and old paint cans and could have contained other types of waste.
- University of Pennsylvania Hospital ("UPH"): The WITNESS stated that UPH had blue compactor trucks that transported medical waste to Folcroft. The WITNESS stated that this waste was usually packed in plastic bags. The WITNESS stated that the UPH also disposed of animal carcasses at Folcroft.

The WITNESS stated that there were many more companies that disposed of waste at Folcroft. He indicated that he could not recall any specific names at the present time, but agreed to think about his time at Folcroft and meet with the interviewer in the next week.

The WITNESS was asked the names of other individuals that may have relevant knowledge of waste disposal activities at the Folcroft Landfill. The WITNESS provided the following.

- Blinky: The WITNESS stated he does not know Blinky's real name. However, he indicated that Blinky is a scrap metal dealer and comes to [REDACTED] on a weekly basis. The WITNESS stated that he would obtain Blinky's telephone number for me the next time he sees Blinky.
- Sam, unknown last name: The WITNESS stated that Sam worked in the shack at the entrance of Folcroft and logged in most of the trucks that entered Folcroft during the day. The WITNESS stated that he thinks Sam is still living in the area and agreed to make some calls to locate Sam.
- Ozzie Osborne: The WITNESS stated Osborne was also a picker at Folcroft. He indicated that Osborne lives in New Jersey. The WITNESS stated that he does not know Osborne's first name, but stated that Osborne sold his scrap metal business to McCusker and that this scrap metal yard is still located in Chester on Third Street.
- Bobby Williams: The WITNESS stated that Bobby Williams also operated the bulldozer at Folcroft.

"I declare under penalty of perjury that the foregoing is true and correct."

Executed on _____
(Date)

Signed _____
(Name)

INTERVIEW SUMMARY
Work Assignment ES002
Lower Darby Creek Area Site



Prepared for:

U.S. Environmental Protection Agency
Region III
Enforcement Support Services
Hazardous Site Cleanup Division
1650 Arch Street
Philadelphia, PA 19103

Prepared by:

Daston Corporation
210 West Washington Square
Suite 100
Philadelphia, PA 19106

Work Assignment Number:	ES002
Date Submitted:	October 7, 2002
Contract Number:	68-S3-01-01
EPA Work Assignment Manager:	Carlyn Prisk
Telephone Number:	(215) 814-2625
DASTON Work Assignment Manager:	Eric D. Bailey
Telephone Number:	(215) 923-4404
Interviewer:	Michael McCloskey
	Tri-State Enr

ENFORCEMENT CONFIDENTIAL

Name: [REDACTED] ("WITNESS")
[REDACTED]
[REDACTED]

Affiliation: Former Employee/ Folcroft Landfill/Tri-County Hauling and
Independent Trash Picker at the Folcroft Landfill

Telephone: [REDACTED]

Type of Interview: In-Person (Second Interview)

Date of Interview: September 30, 2002

On September 30, 2002, the WITNESS was interviewed at his place of employment [REDACTED]
[REDACTED] Michael McCloskey of Tri-State
Enterprise. The WITNESS was interviewed as part of the potentially responsible party search
currently being conducted under Work Assignment NO. ES-002 involving the Lower Darby Creek
Area, Delaware County, PA (the "Site"). This interview focused on the Folcroft Landfill ("Folcroft").
On September 11, 2002, the WITNESS was provided with a copy of the letter of introduction, advised
of the nature of the questions to be asked and advised that the interview was voluntary. The
WITNESS advised that he is not represented by an attorney in this matter and did not want an
attorney. No other persons were present and this interview was not tape-recorded.

During the course of this interview, the WITNESS responded to questions based on guidelines
provided by the United States Environmental Protection Agency for former employees.

The WITNESS was shown an aerial photograph of Folcroft and this aerial photograph was used
throughout the interview.

The WITNESS was asked if he had recalled any additional names of generators or transporters that
disposed of waste at Folcroft. The WITNESS answered affirmatively and provided the following
information:

- **McCann Trash Company:** The WITNESS stated that McCann operated rear-end loader trucks. He did not know the location from which McCann picked up waste.
- **Lawrence Trash:** The WITNESS stated that Lawrence was from New Jersey and had rear-end loader trucks and open box trucks. He could not recall the types of waste that Lawrence disposed of at Folcroft. When asked if Lawrence operated roll-off trucks or tanker trucks, the WITNESS stated that he could not recall.

- **Harvey Waste:** The WITNESS stated that he could recall a company named Harvey disposing of waste at Folcroft. He stated that Harvey operated white rear-end loader trucks; however, he could not recall if Harvey operated roll-off trucks. When asked if Harvey could have been Harvey and Harvey, the WITNESS stated that he did not know.

The WITNESS stated that he will continue to think about Folcroft and will call me when he has any additional information about transporters or generators.

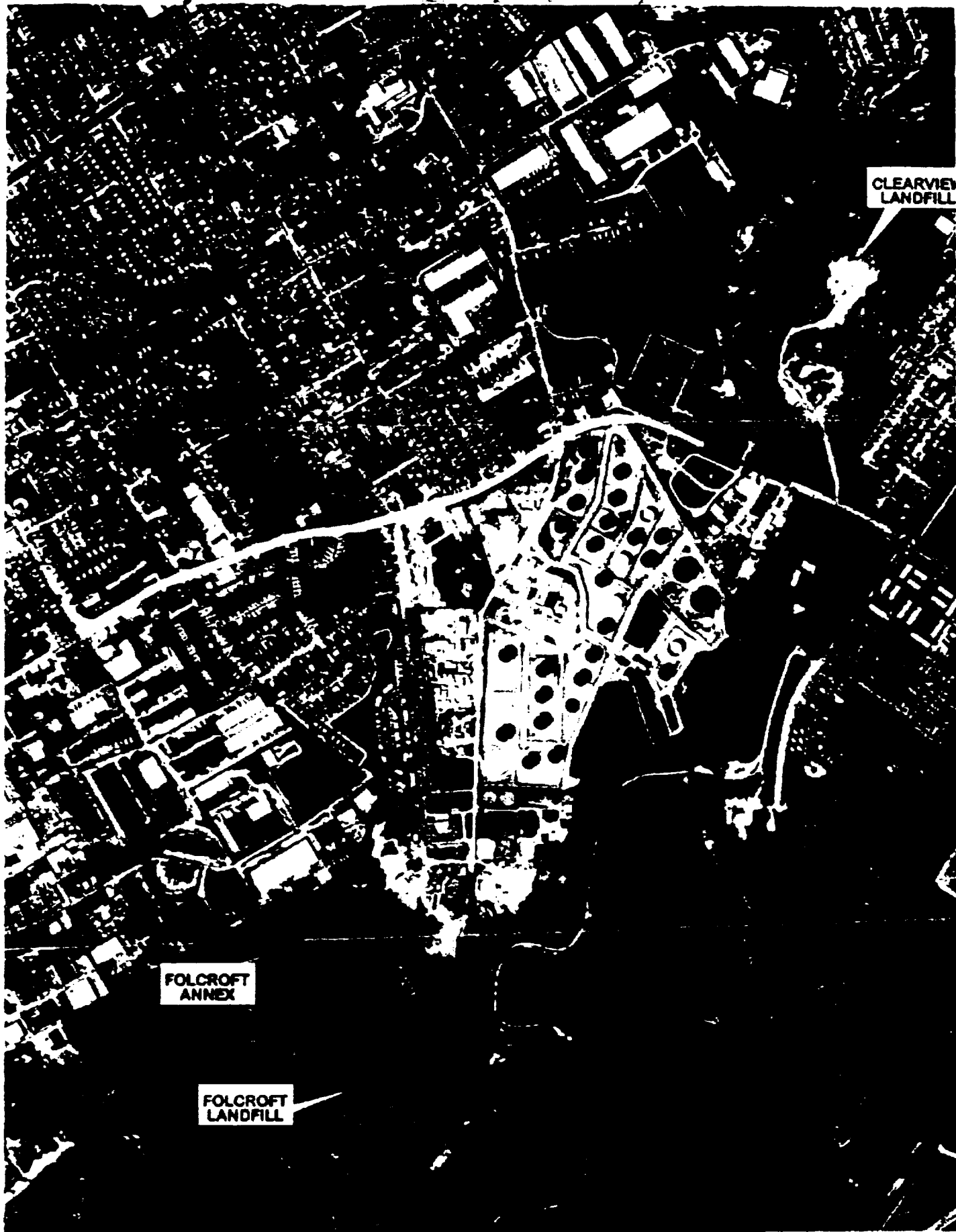
The WITNESS was asked if he had seen **Blinkie** or **Sam** since our last meeting. The WITNESS stated that Blinkie has not been to [REDACTED] for about a month. The WITNESS stated that Blinkie will show up eventually and that he will obtain Blinkie's home address and telephone number at that time.

The WITNESS stated that he believes Sam is still living in the area. The WITNESS stated that **Bobbie Williams** would know Sam's whereabouts.

"I declare under penalty of perjury that the foregoing is true and correct."

Executed on: _____ Signed: _____
(Date) (Name)

[REDACTED] (9/11/02)



Grassy Area

LOWER DARBY CREEK AREA SUPERFUND SITE

EPA REGION 3

TETRA



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

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INTERVIEW SUMMARY
Work Assignment ES002
Lower Darby Creek Area Site



Prepared for:

U.S. Environmental Protection Agency
Region III
Enforcement Support Services
Hazardous Site Cleanup Division
1650 Arch Street
Philadelphia, PA 19103

Prepared by:

DASTON Corporation
210 West Washington Square
Suite 100
Philadelphia, PA 19106

Work Assignment Number:	ES002
Date Submitted:	January 10, 2002
Contract Number:	68-S3-01-01
EPA Work Assignment Manager:	Carlyn Prisk
Telephone Number:	(215) 814-2625
DASTON Work Assignment Manager:	Eric D. Bailey
Telephone Number:	(215) 923-4404
Interviewer:	Michael McCloskey, Tri-State Enterprise

Name: [REDACTED] (WITNESS)

Affiliation: Former Area Resident and former Bulldozer Operator at Folcroft Landfill

Telephone: [REDACTED]

Type of Interview: In-Person

Date of Interview: December 17, 2002 and December 19, 2002

On December 17, 2002 and December 19, 2002 the WITNESS was interviewed at his residence by Michael McCloskey of Tri-State Enterprise. The WITNESS was interviewed as part of the potentially responsible party search currently being conducted under Work Assignment No. ES-002 involving the Lower Darby Creek Area, Delaware County, PA (the "Site"). This interview focused on the Folcroft Landfill (Folcroft). The WITNESS was provided with a copy of the letter of introduction, advised of the nature of the questions to be asked and advised that the interview was voluntary. The WITNESS advised that he is not represented by an attorney in this matter and did not want an attorney. No other persons were present and this interview was not tape-recorded.

During the course of this interview, the WITNESS responded to questions based on guidelines provided by the United States Environmental Protection Agency for area residents and former employees.

The WITNESS was shown an aerial photograph of the Folcroft Landfill and this aerial photograph was used throughout the interview. This aerial photograph is attached to this interview summary.

The WITNESS was asked to explain his association with the Folcroft Landfill.

The WITNESS stated that he used to live at [REDACTED] in Folcroft. He indicated that he lived at this address until he was 20 years old. The WITNESS stated that the Folcroft Landfill was [REDACTED] and that when he was in his early teens he played and hunted on the Folcroft Landfill.

The WITNESS stated that from 1969 to 1972, he worked for Ed Mullen on the Folcroft Landfill on a part-time basis. The WITNESS stated that he worked as a bulldozer operator on the Folcroft Landfill when needed. The WITNESS stated that Ed Mullen would call him in. The WITNESS stated that he worked on the Landfill on an average of 3 to 4 days each week.

The WITNESS stated that he was paid in cash by Ed Mullen on a daily basis. The WITNESS stated that he did not get checks and that his income was "under the table".

The WITNESS explained that as the bulldozer operator, he would move waste and cover waste with dirt when needed.

The WITNESS was asked to identify companies that disposed of their waste at the Folcroft Landfill. The WITNESS stated that the following companies had their own trucks and that he observed these trucks dispose of waste at the Folcroft Landfill:

- Oil Tank Lines: The WITNESS stated that Oil Tank Lines had numerous tanker trucks and that they disposed of liquid waste on Folcroft. The WITNESS was unable to describe the waste.
- Certainteed Company: The WITNESS stated that this company had a plant in Chester, PA. The WITNESS stated that Certainteed Company used box trucks and semi-trucks. He indicated that these trucks had the name "Certainteed" printed on the doors of the trucks. The WITNESS stated that this company disposed of asbestos, shingles and asphalt sludge at Folcroft.
- Alcoa: The WITNESS stated that this company had a plant in Chester, PA. The WITNESS stated that Alcoa used its own trucks. He stated that these trucks were the box-truck type. He indicated that this company disposed of aluminum, wood and cardboard boxes containing a powder substance. He indicated that the powder was white. He did not recall any particular odor.
- New York City Municipal Waste (NYC): The WITNESS stated that NYC disposed of waste in 40-cubic yard roll-off containers on a daily basis. He indicated that the trucks had "New York City Municipal Waste" printed on the cab doors. The WITNESS did not recall the types of waste disposed of by NYC at Folcroft.
- Monsanto Company: The WITNESS stated that this company had its own trucks, which included semi-trucks and box trucks. The WITNESS stated that the name "Monsanto" was printed on the doors of the trucks. The WITNESS stated that these trucks had New Jersey tags. He described the waste as mostly cardboard boxes. He did not know if the boxes contained anything.
- United States Navy (Navy): The WITNESS stated that the Navy operated 2.5-ton trucks. He indicated that these trucks were gray and had the name U.S. Navy printed on the side. The WITNESS stated that the Navy waste included wood and 55-gallon sealed drums. He did not know what the drums contained. The WITNESS stated that the drums were gray and also had U.S. Navy printed on the sides. When asked if this waste came from the Philadelphia Navy Yard, the WITNESS stated that he did not know.
- duPont Company, Pennsylvania: The WITNESS stated that the duPont company had a plant on Grays Ferry Avenue in Philadelphia and that they had some dump trucks that they used to transport waste. The WITNESS stated that these trucks had PA tags. He indicated that duPont also had waste picked up by contract trash companies as well. He did not know which trash companies picked up duPont waste. The WITNESS stated that this waste included paint and cans.

- duPont Company, Delaware: The WITNESS stated that the duPont Company in Delaware also had waste disposed of at Folcroft. He indicated that duPont operated its own trucks. The WITNESS stated that these trucks had the duPont name printed on the cab doors. He described the trucks as 18-wheel tractor-trailers with Delaware tags. The WITNESS stated that this waste included cans and cardboard boxes. He indicated that the cans and cardboard boxes contained a sludge that had a sulfur odor. The WITNESS did not know the specific location this waste came from.
- Scott Paper: The WITNESS stated that Scott Paper had its own trucks and also used contract waste haulers. The WITNESS stated that the Scott Paper Company that had its own trucks was the research and development facility located in Essington, PA. The WITNESS stated that one of the drivers had told him where the waste came from. The WITNESS stated that the Scott Paper trucks were dump trucks with the name Scott Paper printed on the doors. The WITNESS stated that Eastern Industrial also brought in 40-cubic yard containers from this location. The WITNESS described this waste as brown sludge and paper.
- Jordan Chemical Company (Jordan): The WITNESS stated that Jordan Chemical Company had a 40-cubic yard roll-off container brought to Folcroft by Eastern Industrial. He stated that Jordan was located [REDACTED] and he had observed Eastern Industrial pick up this container. the WITNESS described this waste as a red sludge. The WITNESS stated that Jordan also had a pipe leading from the plant to a stream behind the plant and that a red liquid waste was piped into this stream. The WITNESS stated that in approximately 1970, Wilbur Henderson put a pipe over the stream so the Jordan waste was not observed going into the stream. The WITNESS stated that this stream fed into Darby Creek at the base of the Folcroft Landfill. The WITNESS stated that this waste was also acidic and that [REDACTED] had burned himself on the pipe.
- Philadelphia Electric Company: The WITNESS stated that Philadelphia Electric Company had its own trucks that transported waste to Folcroft in dump trucks with the name "Philadelphia Electric" printed on the doors. The WITNESS described this waste as wood, paper cardboard and wires.
- Marvin Jonas: The WITNESS stated that a tanker truck with liquid waste disposed of this liquid waste at Folcroft. He indicated that "Marvin Jonas" was printed on the doors and the tank. He could not recall the size of the tank or describe the waste. He recalled these tanker trucks had green lettering and PA tags.
- University of Pennsylvania (UP): The WITNESS stated that UP had its own compactor trucks that transported waste to Folcroft. He described this waste as medical waste and the waste included bloody bandages and needles.
- Fitzgerald Mercy Hospital (FMH): The WITNESS stated that he had not observed FMH disposing waste in Folcroft; however, he recalled that in approximately 1971 a human arm and leg were found on Folcroft. The WITNESS stated that the Pennsylvania Department

of Health had traced these body parts back to FMH. The WITNESS stated that he had been told this by Ed Mullen.

The WITNESS stated that all of the above named companies probably also had contract waste transporters disposed of waste at the Folcroft Landfill. He was unable to place specific waste transporters to specific companies other than the ones identified above.

When asked the names of waste transport companies that disposed of waste at the Folcroft Landfill, the WITNESS provided the following:

- Eastern Industrial
- Harvey and Harvey
- Banta Trash
- Lafferty Trash
- Roadway Express
- Crumley Brothers
- Vile Trash
- Ace
- Tri-County Hauling

The WITNESS stated that there were other waste transporters, but he could not recall any more specific names.

When asked if he knew a William Jones, the WITNESS stated yes. The WITNESS stated that Jones had a farm on Ashland Avenue close to the Folcroft Landfill. The WITNESS stated that Jones used this farm as a junkyard and that Jones sometimes discarded waste from the junkyard onto the Folcroft Landfill. The WITNESS stated that he had observed more than 100 steel drums on the Jones property that was disposed of on Folcroft. The WITNESS could not recall if there were any markings on these drums.

When asked the names of other individuals that may have relevant knowledge of waste disposal activities at the Folcroft Landfill, the WITNESS provided the following.

- John McBride: The WITNESS stated that McBride operated a bulldozer on the Folcroft Landfill.
- Steve Weems: The WITNESS stated that Weems operated a bulldozer on the Folcroft Landfill
- Sean Kilmartin: The WITNESS stated that [REDACTED] went with him on the Folcroft Landfill.
- Al Frank: Bucky Frank's brother and a Folcroft employee.

The WITNESS was asked if steel drums were placed at any usual location on the Folcroft Landfill. The WITNESS stated yes. The WITNESS stated that most of the waste that was disposed at the Landfill was placed on the ground and covered. The WITNESS stated that he

would be instructed by Ed Mullen to dig a hole at the top of the Landfill to bury any steel drums. The WITNESS identified this location on the attached aerial photograph.

When asked the names of other property owners in the area closest to the Folcroft Landfill, the WITNESS provided the following.

- Keiser: The WITNESS stated that the Keisers owned a farm adjacent to Folcroft.
- McBride: The WITNESS stated that the McBrides lived in a house next to Folcroft.
- Weems: The WITNESS stated that the Weems had a house closest to Folcroft.
- Crispin: The WITNESS stated that the Crispins had a house close to Folcroft.

"I declare under penalty of perjury that the foregoing is true and correct."

Executed on _____
(Date)

Signed _____
(Name)

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Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

PS Form
3800

Sent To

Street, Apt. No.,
or PO Box No.

City, State, ZIP+ 4

PS Form 3800, January 2001

See Reverse for Instructions